

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Cornelius Richard Richmond,	)	
#B-1180819353, a/k/a Cornelius R.	)	C/A No. 8:09-2794-MBS
Richmond,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	<b>ORDER</b>
Mr. Bradley C. Richardson, Asst	)	
Solicitor of Horry County,	)	
	)	
Defendant.	)	
_____	)	

Plaintiff Cornelius Richard Richmond is a pretrial detainee who currently is housed at the J. Reuben Long Detention Center in Conway, South Carolina. On October 29, 2009, Plaintiff, appearing *pro se*, brought this action pursuant to 42 U.S.C. § 1983, alleging that he is being denied due process and his right to a speedy trial in state court. Plaintiff asks the court to compel state criminal proceedings and to exclude Defendant Bradley C. Richardson from prosecuting the case.

In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge Bruce Howe Hendricks for pretrial handling. The Magistrate Judge reviewed the complaint pursuant to the provisions of 28 U.S.C. §§ 1915 and 1915A. On November 16, 2009, the Magistrate Judge filed a Report and Recommendation in which she noted that a federal court should not interfere with state criminal proceedings except in extraordinary circumstances. See Younger v. Harris, 401 U.S. 37, 43-44 (1971). Accordingly, she recommended that the within action be summarily dismissed. Plaintiff filed objections to the Report and Recommendation on November 25, 2009.

The Magistrate Judge makes only a recommendation to this court. The recommendation has

no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

Plaintiff recites the allegations of his complaint in his objections. To the extent Plaintiff challenges any of the Magistrate Judge's findings or recommendations, the district court need not conduct a de novo review when a party makes only general and conclusory objections that do not direct the court to a specific error in the Magistrate Judge's proposed findings and recommendations. Orpiano v. Johnson, 687 F.2d 44, 47-48 (4th Cir. 1982).

Plaintiff also requests that the court send him information regarding filing a lawsuit in state court, and that the court also send him the proper forms to seek a writ of habeas corpus pursuant to 28 U.S.C. § 2241. The Clerk of Court is directed to respond to Plaintiff's requests to the extent possible.

For the reasons stated, the court adopts the Report and Recommendation and incorporates it herein by reference. Plaintiff's § 1983 complaint is dismissed without prejudice and without issuance and service of process.

**IT IS SO ORDERED.**

/s/ Margaret B. Seymour  
United States District Judge

Columbia, South Carolina

December 15, 2009.